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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: R. M. Burch et al.

Serial No.: 09/831,631

Group Art Unit: To be assigned.

Filed: September 21, 2001

Examiner: To be assigned.

For: CONTRACEPTIVE ANTIBODY
VACCINES

Attorney Docket No.: 6750-0018-999

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SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.56 and § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for the Applicants hereby direct the Examiner's attention to the reference ET and EU listed on the attached revised form PTO 1449 and a copy of the "Supplementary Partial European Search Report" mailed November 15, 2002 from the European Patent Office. Legible copies of the references are provided herewith.

Identification of the listed reference is not to be construed as an admission of the Applicants or Attorneys for the Applicants that such a reference is available as "prior art" against the subject application. Consequently, the Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, the Applicants submit herewith a "revised form PTO-1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

The Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since Applicants believe this Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, it is submitted that no fee is due in connection herewith.

Alternatively, pursuant to 37 C.F.R. § 1.97(c), Applicants hereby state that each item of information contained in the Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

However, should the Patent and Trademark Office determine that any fees are required, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date: December 20, 2002

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Attachments

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